

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/909,035 Confirmation No. 8475  
Applicant : STEGER, Paul  
Title : AUTOMATED CHECK VERIFICATION AND TRACKING SYSTEM  
(Steger 2 of 2)  
Filed : July 19, 2001  
TC/A.U. : 2876  
Examiner : Karl D. Frech

Mail Stop **Petitions**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**PETITION UNDER 37 C.F.R. 1.47(b) BY  
PERSONS HAVING PROPRIETARY INTEREST TO FILE  
APPLICATION ON BEHALF OF INVENTOR WHO REFUSES TO SIGN**

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1. LV Partners, L.P., having a proprietary interest in the above-identified application, signs below (through their attorney) and petitions to make this application on behalf of the non-signing inventor, Paul Steger, who refuses to sign.
2. This petition is accompanied by:
  - (i) a showing of sufficient proprietary interest,
  - (ii) proof of the pertinent facts,
  - (iii) the last known address of the non-signing inventor as set forth in the accompanying "DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR."

3. The fee set forth in Sec. 1.17(g) (\$200.00), required by 37 C.F.R. 1.47(b), is paid by Deposit Account. Please charge any additional fees, deficiencies in fees, or credit any overpayment to Deposit Account No. 20-0780/PHLY-25,478 of HOWISON & ARNOTT, L.L.P.

4. The person making this statement is the owner or a person authorized to sign on behalf of the owner on the basis of a chain of title from the inventor to the current assignee, L.V. Partners. A Statement Under 37 CFR 3.73(b) is filed concurrently herewith.

Respectfully submitted,

HOWISON & ARNOTT L.L.P.  
Attorneys for Applicant

/Gregory M. Howison, Reg. # 30,646/  
Gregory M. Howison  
Registration No. 30,646

GMH/sjg

P.O. Box 741715  
Dallas, Texas 75374-1715  
Tel: 972-479-0462  
Fax: 972-479-0464  
July 23, 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Paul Steger

For: AUTOMATED CHECK VERIFICATION AND TRACKING SYSTEM

the specification of which was filed on July 19, 2001, as Application Serial No. 09/909,035.

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING  
INVENTOR (37 C.F.R.. § 1.47)**

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

**IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS**

Gregory M. Howison

HOWISON, THOMA & ARNOTT, L.L.P.

12225 Greenville Ave., Ste. 985

Dallas, TX 75243

**LAST KNOWN ADDRESS OF THE NONSIGNING INVENTOR**

Paul Steger

2624 E. Shorewood Blvd.

Shorewood, WI 53211

## **DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR**

I, Gregory M. Howison, with offices at Howison, Thoma & Arnott, L.L.P., 12225 Greenville Avenue, Suite 985, Dallas, Texas 75243 make the following statement of facts in support of Filing on Behalf of Nonsigning Inventor pursuant to 37 C.F.R. Sec. 1.47(b).

The last known address of the nonsigning inventor, Paul Steger, is 2624 E. Shorewood Blvd., Shorewood, Wisconsin 53211.

I made the following efforts to reach the nonsigning inventor, Mr. Paul Steger. On October 16, 2001, a letter, signed by Mr. William S. Leftwich, Vice President of DCCP, Inc., the assignee of U.S. Patent No. 5,925,865 which is the subject of the present Reissue Patent Application, Serial No. 09/909,035, was sent via U.S. mail to Mr. Paul Steger at the above address together with a Reissue Declaration and Power of Attorney. The letter from Mr. Leftwich requested Mr. Steger to sign the Reissue Declaration and return it to me, Gregory M. Howison. Copies of the above documents are attached.

There being no response, Mr. Leftwich on November 16, 2001 again sent his letter and the Reissue Declaration via U.S. Certified Mail to Mr. Steger at the above address. The letter, in its envelope, was returned to DCCP, Inc. by the U.S. Postal Service marked "Forwarding Order Expired." Copies of these documents are attached, including the envelope.

On December 10, 2001 I, Gregory M. Howison, performed a search on the Internet and located an address for a Mr. Paul R. Steger at 1630 Bultman Road, Madison, Wisconsin 53704-3676. This information was communicated via e-mail to Ms. Suzy Fulton, Intellectual Property counsel at DCCP, Inc. On December 10, 2001, Mr. Leftwich sent a third copy of his letter and the Reissue Declaration, again via Certified Mail, to this Mr. Steger at the new address. This letter was returned by Mr. Paul R. Steger in an envelope postmarked January 2, 2002 together with a notation stating "Sorry, you have the wrong Paul Steger," followed by his signature. A

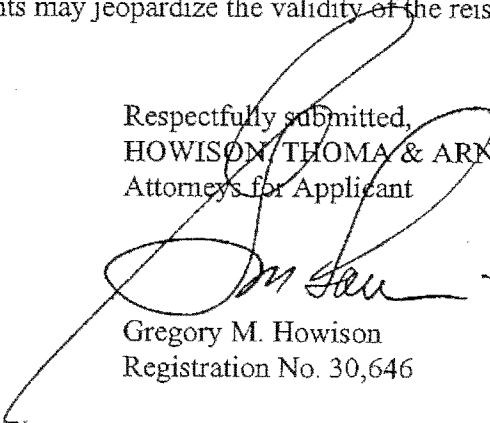
copy of this document is attached.

On January 11, one of my associates, upon telephoning an attorney of record (Mr. William M. Hanlon, Jr. of Troy, Michigan) for Mr. Paul Steger to obtain Mr. Steger's last known address, received the same Shorewood, Wisconsin address shown above. This associate, on March 7, 2002 also received the same information from Mr. Steger's last known attorney of record (Mr. Robert F. Perry of New York, New York) in response to a telephone inquiry of March 6, 2002. Further, a telephone information inquiry by this associate on March 7, 2002 provided the result that there was no listing of Mr. Paul Steger, or a Mr. P. Steger, at the 2624 E. Shorewood address in Shorewood, Wisconsin, nor is anyone by that name listed in the telephone directory for Shorewood, Wisconsin.

Further an outside search firm, US Search, was contracted to search for Mr. Steger. They found no forwarding address.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code and that such wilful statements may jeopardize the validity of the reissue application or any reissue patent issued thereon.

Respectfully submitted,  
HOWISON THOMA & ARNOTT, L.L.P.  
Attorneys for Applicant



Gregory M. Howison  
Registration No. 30,646

GMH:jk  
P.O. Box 741715  
Dallas, Texas 75374-1715  
Tel: 972-479-0462  
Fax: 972-479-0464  
March 11, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Paul Steger  
For: AUTOMATED CHECK VERIFICATION AND TRACKING  
SYSTEM  
Reissue of U.S. Patent No. 5,925,865  
Issued: July 20, 1999

Commissioner of Patents  
and Trademarks  
*BOX REISSUE*  
Washington, D.C. 20231

Dear Sir:

**REISSUE DECLARATION AND POWER OF ATTORNEY**

I, Paul Steger, declare that:

My residence, Post Office address and citizenship are stated below next to my name.

I am the Paul Steger who was the applicant for U.S. Patent Application, Serial No. 08/863,731 filed May 27, 1997, which issued as U.S. Letters Patent No. 5,925,865 on July 20, 1999.

I believe that I am the original, first and sole inventor of the subject matter that is described and claimed in Letters Patent 5,925,865, granted on July 20, 1999, and for which invention I solicit a Reissue Patent on the invention entitled AUTOMATIC CHECK VERIFICATION AND TRACKING SYSTEM, the specification of which is attached hereto.

I have assigned the entire right, title and interest in and to U.S. Letters Patent No. 5,925,865 as well as the U.S. Letters Patent No. 5,594,226 issued January 14, 1997; to DCCP, INC., a corporation of the State of Delaware, as evidenced by the Assignment document executed on March 24, 2000 and recorded in the records of the United States Patent and Trademark Office at reel 010766 and frame 0602 on May 1, 2000.

### **Acknowledgment of Review of Papers and Duty of Candor**

I hereby declare that I have reviewed and understand the contents of the above-identified specification for reissue, including the original patent claims and the newly added claims presented in the Reissue Application.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me which is material to the patentability as defined in 37 C.F.R. § 1.56.

### **Claim of Priority**

I hereby claim the benefit under 35 U.S.C. § 120 of the United States applications/patents identified as:

- a) U.S. Serial No. 08/863,731 filed May 27, 1997;
- b) U.S. Serial No. 08/679,276 filed July 12, 1996;
- c) U.S. Serial No. 08/523,646 filed September 5, 1995, now U.S. Pat. No. 5,594,226;  
and
- d) U.S. Serial No. 08/273,372 filed July 11, 1994.

### **Statement of Inoperativeness**

I believe the original patent to be wholly or partly inoperative by reason of the patentee claiming less than the patentee had a right to claim in the original patent.

The error arose because of my failure, and the failure of my patent attorney, to appreciate the full scope of the invention. As a result, claims covering the broader aspect of my invention were not included in the application for the original patent, nor in any amendment thereto.

I declare that all errors which are being corrected in this Reissue Application up to the time of filing of this declaration, arose without any deceptive intention on the part of the applicant.

**Power of Attorney**

I hereby appoint the following attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

Gregory M. Howison	Reg. No. 30,646
Roger N. Chauza	Reg. No. 29,753
Peter J. Thoma	Reg. No. 28,121
Mark W. Handley	Reg. No. 36,821
John J. Arnott	Reg. No. 39,095
Stephen S. Mosher	Reg. No. 33,974
William Gustavson	Reg. No. 29,160

of the firm HOWISON, CHAUZA, THOMA, HANDLEY & ARNOTT, L.L.P., my attorneys with full power of substitution and revocation.

Please send all correspondence in connection with this Reissue Application and any continuations thereof, to:

	<b><u>Direct Telephone Calls To:</u></b>
HOWISON, CHAUZA, THOMA, HANDLEY & ARNOTT, L.L.P. P.O. Box 741715 Dallas, Texas 75374-1715	Gregory M. Howison at (972) 479-0462 Fax: 972-479-0464 Atty. Docket No. PHL Y-25,478

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the reissue application or any reissue patent issued thereon.

Inventor's Full Name: Paul Steger  
Residence: Shorewood, Wisconsin, U.S.A.  
Citizenship: U.S.A.  
Post Office Address: 2624 E. Shorewood Blvd. Shorewood, WI 53211

Inventor's Signature: \_\_\_\_\_  
Date: \_\_\_\_\_



SENT BY: OFFICEMAX;

9722830197;

MAR-1 2 5:44PM;

PAGE 2/3

SENT BY: HOWISON, THOMA & ARNO;

972 479 0464 ;

MAR-11-02 5:42PM;

PAGE 4/4

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR  
SIGNATURE BY PERSON WITH SUFFICIENT PROPRIETARY INTEREST WHERE  
NO INVENTOR IS AVAILABLE TO SIGN AND ON BEHALF OF ALL THE  
INVENTOR(S) WHO REFUSE(S) TO SIGN OR CANNOT BE REACHED (37 C.F.R. §  
1.47(b))**

I, William S. Leftwich hereby declare that:

I am a citizen of the U.S.A., having a business address of 9101 N. Central  
Expressway, Suite 500, Dallas, Texas 75231; and

I am authorized by the following person or juristic entity with sufficient  
proprietary interest, DCCP, Inc., 1209 Orange Street, Wilmington, Delaware  
19801.

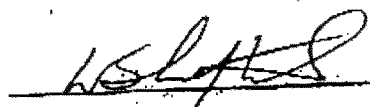
By virtue of this proprietary interest, I sign this declaration on behalf of, and as agent for:  
Paul Steger, nonsigning inventor who cannot be found or reached, whose last  
known address is 2624 E. Shorewood Blvd., Shorewood, WI 53211, U.S.A.

This action is necessary to preserve the rights of the assignee.

Accompanying this declaration is a statement of facts in support of filing on behalf of  
nonsigning inventor and the petition fee of \$130.00. (37 C.F.R. § 1.17(i).

Please charge any additional fees or deficiencies in fees or credit any overpayment to  
Deposit Account No. 20-0780/PHLY-25,478 of HOWISON, THOMA & ARNOTT, L.L.P.

Date: 3/11/02

  
\_\_\_\_\_  
Signature of person with sufficient proprietary interest or authorized to act on behalf of  
such person or entity

PHLY-25,478

09/909,035

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REISSUE APPLICATION DECLARATION BY THE ASSIGNEE</b>		Docket Number (optional) <b>PHLY-25,478</b>
I hereby declare that: The residence, mailing address and citizenship of the inventors are stated below. I am authorized to act on behalf of the following assignee: <u>DCCP, Inc.</u> and the title of my position with said assignee is: <u>Vice President</u> The entire title to the patent identified below is vested in said assignee.		
Inventor <b>Paul Steger</b>	Citizenship <b>USA</b>	
Residence/Mailing Address <b>2624 E. Shorewood Blvd., Shorewood, WI 53211</b>		
Inventor	Citizenship	
Residence/Mailing Address		
<input type="checkbox"/> Additional Inventors are named on separately numbered sheets attached hereto.		
Patent Number <b>5,925,865</b>	Date of Patent Issued <b>July 20, 1999</b>	
Title of Invention <b>AUTOMATIC CHECK VERIFICATION AND TRACKING SYSTEM</b>		
I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled: <b>AUTOMATIC CHECK VERIFICATION AND TRACKING SYSTEM</b>		
the specification of which <input type="checkbox"/> is attached hereto. <input checked="" type="checkbox"/> was filed on <u>July 19, 2001</u> as reissue application number <u>09 / 909,035</u> and was amended on <u>N/A</u> (if applicable)		
I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.		
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.		
I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.) <input type="checkbox"/> by reason of a defective specification or drawing. <input checked="" type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent. <input type="checkbox"/> by reason of other errors.		

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.


SENT BY: OFFICEMAX;  
CENTRAL INTELLIGENCE AGENCY, THOMA & ARNO;9722830197;  
9/2 478 0464 ;MAR-1 2 5:44PM;  
MAR-11-02 5:41PM;PAGE 3/3  
PAGE 3/4

PTO/8B/82 (03-02)

Approved for use through 01/31/2004. OMB 0851-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REISSUE APPLICATION DECLARATION BY THE ASSIGNEE</b>		<b>Docket Number (Optional)</b> PHLY-25,478	
At least one error upon which reissue is based is described as follows:  The error arose because of the failure of the patentee, and the failure of his patent attorney, to appreciate the full scope of the invention. As a result, claims covering the broader aspect of the invention were not included in the application for the original patent, nor in any amendment thereto.  [Attach additional sheets, if needed.]  All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.			
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.			
Name(s)		Registration Number	
Gregory M. Howison		30,646	
Peter J. Thoma		28,121	Stephen S. Mosher
John J. Arnott		39,095	33,974
David C. Cain		45,337	
Correspondence Address: Direct all communications about the application to:			
<input checked="" type="checkbox"/> Customer Number		<div style="border: 1px solid black; padding: 5px; display: inline-block;">  </div>	
OR		Type Customer Number Here	
<input type="checkbox"/> Firm or Individual Name		25883 PATENT, TRADEMARK OFFICE	
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of person signing (given name, family name) William S. Leftwich			
Signature <i>W. Leftwich</i>		Date 3/11/02	
Address of Assignee 9101 N. Central Expressway, Suite 500, Dallas TX 75231			